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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAPHNE P. RAND, by and through DEBRA
J. DOLCH, as Conservator of the Person and
Estate of DAPHNE P. RAND, Conservatee, on
Behalf of Themselves and All Others Similarly
Situating.

Plaintiff,

vs.

AMERICAN NATIONAL INSURANCE
COMPANY, a Texas corporation.

Defendant.

Case No. CV 09 0639 SI

CLASS ACTION

**AMENDED STIPULATION AND
[PROPOSED] ORDER CONTINUING
BRIEFING SCHEDULE**

Judge Susan Illston

Action Filed: 02/12/09

This stipulation is made between Plaintiff DEBRA J. DOLCH, as Special Administrator of the Estate of DAPHNE P. RAND ("Plaintiff") and Defendant American National Insurance Company ("ANICO" or "Defendant"), by and through their respective counsel of records, based on the following:

WHEREAS, on August 19, 2010 (dkt. 130), the court moved Defendant's Motion for Partial Summary Judgment, previously set for September 3, 2010, to September 10, 2010 at 9:00 a.m. in Courtroom 10.

WHEREAS, Plaintiff agrees she will not amend the complaint or add parties between now and the time ANICO responds to her Motion for Class Certification, but reserves the right to so amend and/or intervene with a new or additional plaintiff based upon any challenges or objections by Defendant. Defendant reserves its rights to any and all defenses to such amendment or interventions, if any.

WHEREAS, the current schedule requires plaintiffs to submit their class certification motion and expert disclosures on September 21, 2010 and one of plaintiff's counsel, Ingrid Evans, will be out of the country during that time period. Additionally, plaintiff's counsel Andrew Friedman is set for trial on September 13, 2010, and is unavailable during that time.

Additionally, the parties are still conducting discovery: Defendant has not yet completed document production; and depositions of additional witnesses will be scheduled after the final document production. The parties believe that the current scheduling order on class certification should be modified to allow for completion of discovery, resolution of any discovery disputes and any other matters, as follows:

	Current Dates	Proposed Dates
Plaintiff's Motion for Class Certification and Designation of Class Cert Experts	September 21, 2010	November 4, 2010
Defendant's Opposition to Motion for Class Certification and Expert Disclosures	November 9, 2010	January 6, 2010
Plaintiff's Reply in Support of Motion for Class Certification	November 30, 2010	January 20, 2010
Hearing on Motion for Class Certification	December 20, 2010	January 31, 2010

1 IT IS SO ORDERED.

2 DATED: _____

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4 By 

5 The Honorable Susan Illston
6 District Court Judge
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